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LAS VEGAS SANDS CORP., a Nevada corporation,
Plaintiff,
v.
FIRST CAGAYAN LEISURE & RESORT CORPORATION, a foreign corporation, WANN YICHEN, an individual, QING WAN LENG, an individual, and UNKNOWN REGISTRANTS OF WWW.358.COM, WWW.359.COM, WWW.JS2255.COM, WWW.JS2299.COM, WWW.JS3333.COM, JS55555.COM, WWW.JINSHA.COM, WWW.1133JS.COM, WWW.1166JS.COM, WWW.1177JS.COM, WWW.1188JS.COM, and WWW.1199JS.COM,
Defendants.

Case No.

TEMPORARY RESTRAINING ORDER, ORDER FOR ALTERNATIVE SERVICE, AND ORDER SETTING HEARING AND BRIEFING SCHEDULE ON PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

22 **UPON CONSIDERATION** of the motion filed by Plaintiff Las Vegas Sands Corp. for
23 an *ex parte* temporary restraining order, for alternative service, and for a preliminary injunction,
24 the supporting memorandum of points and authorities, the supporting declarations of Robert
25 Rubenstein and Jonathan W. Fountain, the record in this case, and for other good cause shown;

26 **THE COURT HEREBY FINDS THAT:**

27 1. Las Vegas Sands Corp. will suffer irreparable injury to its valuable trademarks
28 and associated goodwill if the Defendants are not temporarily enjoined and restrained from

1 transferring the following domain names to other domain name registrars located outside the
2 Court's jurisdiction, or from transferring the registrations for the following domain names to
3 other persons or entities located outside the Court's jurisdiction: www.358.com, www.359.com,
4 www.2089.com, www.6953.com, www.js2255.com, www.js2299.com, www.js33333.com,
5 js55555.com, www.jinsha.com, www.jinsha1111.com, www.jinsha2222.com,
6 www.jinsha3333.com, www.jinsha5555.com, www.jinsha6666.com, www.jinsha7777.com,
7 www.1133js.com, www.1166js.com, www.1177js.com, www.1188js.com, www.1199js.com,
8 www.1111js.com, www.2222js.com, www.3333js.com, www.6666js.com,
9 www.88888js.com, and www.99999js.com (together the "Domain Names");

10 2. Las Vegas Sands Corp. is likely to succeed on the merits of its Lanham Act
11 claims for trademark infringement and false designation of origin, brought pursuant to 15 U.S.C.
12 §§ 1114(a) and 1125(a)(1)(A), respectively, and on its claim for copyright infringement, brought
13 pursuant to 17 U.S.C. § 101, *et seq.*;

14 3. The balance of hardships tips in Las Vegas Sands Corp.'s favor because a
15 temporary restraining order would merely place the Domain Names on hold and lock pending
16 trial, and the failure to issue a temporary restraining order would cause Las Vegas Sands Corp. to
17 suffer additional irreparable injury and incur additional expense if the Domain Names are
18 transferred to other registrants during the pendency of this action, requiring Las Vegas Sands
19 Corp. to file additional lawsuit(s) in other jurisdictions;

20 4. The issuance of a temporary restraining order is in the public interest because it
21 would protect consumers against deception and confusion arising from the use of Las Vegas
22 Sands Corp.'s federally registered trademarks, by persons other than Las Vegas Sands Corp.; and

23 5. Defendants will suffer minimal damage, if any damage at all, by the issuance of a
24 temporary restraining order; accordingly, a nominal bond in the amount of \$100 is reasonable
25 security.

26 **THEREFORE, IT IS HEREBY ORDERED THAT**, pending a full trial on the merits:

27 1. eNom, Inc. ("eNom") and GoDaddy.com, Inc. (the domain name registrars) and
28 VeriSign, Inc. (the.com registry) shall immediately remove or disable the domain name server

1 ("DNS") information for the Domain Names, shall place the Domain Names on hold and lock,
2 and deposit them into the registry of the Court; and

3 2. The Defendants and their respective officers, agents, servants, employees, and/or
4 all other persons acting in concert or participation with Defendants are hereby temporarily
5 restrained and enjoined from: (a) using the SANDS mark, the Sunburst design, Jinsha, or any
6 confusingly similar variations thereof, alone or in combination with any other letters, words,
7 letter string, phrases or designs in commerce, including, without limitation, on any website, in
8 any domain name, in any social network user name, in any hidden website text, or in any website
9 metatag; and (b) engaging in false or misleading advertising or commercial activities likely to
10 deceive consumers into believing that any Defendant is the Plaintiff or that any Defendant's
11 services are associated or affiliated with, connected to, or approved sponsored by the Plaintiff.

12 **IT IS HEREBY FURTHER ORDERED THAT:**

13 1. Upon the issuance of this order, Las Vegas Sands Corp. shall deposit \$100 with
14 the Clerk of the Court as security for this temporary restraining order;

15 2. Plaintiff may serve subpoenas upon eNom, Inc. and Whois Privacy Protection
16 Service, Inc., for the purpose of identifying the presently unknown registrants of the
17 www.358.com and www.359.com domain names;

18 3. Plaintiff may serve the Summons, Complaint, and all other papers upon the
19 presently unknown registrants of the www.358.com and www.359.com domain names by email
20 to the registrant email address currently listed in the WHOIS database for each domain or to the
21 email address provided by each such registrant to eNom, Inc. and/or Whois Privacy Protection
22 Service, Inc. in connection with the registration of the domain names;

23 4. Plaintiff may serve subpoenas upon GoDaddy.com, Inc. and DomainsByProxy,
24 LLC, for the purpose of identifying the presently unknown registrants of the www.js2255.com,
25 www.js2299.com, www.js3333.com, js55555.com, www.jinsha.com, www.1133js.com,
26 www.1166js.com, www.1177js.com, www.1188js.com, and www.1199js.com domain names;

27 5. Plaintiff may serve the Summons, Complaint, and all other papers upon the
28 presently unknown registrants of the www.js2255.com, www.js2299.com, www.js3333.com,

1 js55555.com, www.jinsha.com, www.1133js.com, www.1166js.com, www.1177js.com,
2 www.1188js.com, and www.1199js.com domain names, by email to the registrant email address
3 currently listed in the WHOIS database for each domain or to the email address provided by each
4 such registrant to GoDaddy and/or DomainsByProxy, LLC in connection with the registration of
5 the domain names;

6. Plaintiff may serve the Summons, Complaint, and all other papers upon
7 Defendants First Cagayan, Yichen, and Leng by email to the email addresses they provided to
8 GoDaddy.com, Inc. and/or eNom, Inc. in connection with the registration of their respective
9 domain names;

10. The parties shall appear for hearing and oral argument on Las Vegas Sands
11 Corp.'s motion for preliminary injunction on April 4 , 2014, at 11:00 a.m. in
12 Courtroom 6A , at the Lloyd D. George Federal Courthouse, 333 South Las Vegas Boulevard,
13 Las Vegas, Nevada;

14. The Defendants shall each file and serve their briefs opposing Las Vegas Sands
15 Corp.'s motion for preliminary injunction, if any, no later than March 27, 2014; and

16. Las Vegas Sands Corp. shall file and serve its reply brief in support of its motion
17 for preliminary injunction no later than April 2 , 2014.

18. ENTERED: March 21, 2014 at 11:00 a.m.

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20. UNITED STATES DISTRICT JUDGE
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